



**Agenda Item Number:** \_\_\_\_\_

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** January 26, 2010

**Department:** Zoning, Building, Planning **Staff Contact:** Adella Gallegos, Assoc. Program Planner

**TITLE:** CONSENT: Special Use Permit for a Contractor's Yard (CSU-90033)

### **COUNTY PLANNING COMMISSION RECOMMENDATION:**

Approval

### **SUMMARY:**

At the December 7, 2009 public hearing, the County Planning Commission voted 4-3 (Commissioners McMahon, Pacias & Sanchez opposed) to recommend approval of a Special Use Permit for a Contractor's Yard on Lot 10, Roys Garden Subdivision, located at 1710 Harzman Road SW, zoned R-1, and containing approximately .41 acres. The decision was based on the following Findings and subject to the following Conditions.

#### **Findings:**

1. This is a request for a Special Use Permit for a Contractor's Yard on Lot 10, Roys Garden Subdivision, located at 1710 Harzman Road SW, zoned R-1 containing approximately .41 acres.
2. This request is within the Developing Urban/Established Urban area as designated in the Albuquerque/Bernalillo County Comprehensive Plan and Residential Area Five of the Southwest Area Plan.
3. This request is consistent with Resolution 166-86 in that changed neighborhood conditions have occurred in close proximity to the subject site towards commercial use that justify the land use change.
4. This request is consistent with Resolution 116-86 in that the request facilities the Southwest Area plan in that the request is for a small-scale, owner-occupied business that contains adequate infrastructure and provides a beneficial service to this area of the South Valley.
5. This request has substantial neighborhood support.
6. This request is consistent with the health, safety, and general welfare of the residents of the County.

#### **Conditions:**

1. All off-street parking areas on the property shall be surfaced with a gravel or bituminous surface in accordance to Bernalillo County Zone Code standards.
2. Landscaping for the Special Use Permit shall meet the standards outlined in the Zoning Ordinance.
  - a) Ten (10) foot landscaped buffer along Harzman Road.

- b) Three (3) landscape buffer along the west property line.
- c) Method of irrigation shall be noted on the site plan.
- 3. The applicant shall submit a Final Grading and Drainage Plan to the Public Works Division within 60 days of the final Board of County Commissioners approval.
- 4. The applicant shall submit a final Traffic Scoping Report to the Public Works Division within 60 days of the final Board of County Commissioners Approval.
- 5. Lighting shall be site-specific. Shielded or cutoff fixtures shall be provided to prevent fugitive light from crossing onto adjacent lots or public right-of-way.
- 6. The applicant shall comply with all applicable Bernalillo County ordinance and regulations.
- 7. The Special Use Permit shall be issued for three (3) years.
- 8. Three copies of a revised site development plan consistent with the Conditions of Approval, unless otherwise mentioned, shall be submitted for review and approval to the Zoning Administrator within two months of the final Board of County Commissioners approval. The revised site plan shall include the following noted changes:
  - a) 20-foot asphalt apron at entrances to tie into Harzman Road as required by the Bernalillo County Public Works Division.
  - b) Three (3) foot landscape buffer along the west property line.
  - c) Relocate one of the two handicapped parking spaces to allow for the roadway width required by the Public Works Division.
  - d) Add "Employee" to the "Parking 3 spaces" for the parking spaces situated behind the office.
- 9. Irrigation plan must be submitted for review and approval to the Building Department within ninety (90) days of final Board of County Commissioner approval.
- 10. All interior gates shall be 20 feet. Both street access gates, facing Harzman, shall be wrought iron fencing.
- 11. All metal fence materials shall be replaced with CMU consistent with the existing wall.
- 12. Unless otherwise noted, the foregoing Conditions of Approval shall become effective immediately and shall be strictly complied with upon execution or utilization of any portion of the rights or privileges authorized by this Special Use Permit. All conditions of approval shall be completed within six months of final Board of County Commissioner approval.

#### **ATTACHMENTS:**

- 1. County Planning Commission Notice of Decision Letter (December 7, 2009)
- 2. County Planning Commission Information Packet
- 3. Site Plan dated October 26, 2009 (Commissioners only)

## **STAFF ANALYSIS SUMMARY**

#### **ZONING, BUILDING & PLANNING:**

Staff Recommends Approval